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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/376,860	08/18/1999	HENRICUS A. W. VAN GESTEL	PHN-17.070	7043

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EXAMINER

HU, JINSONG

ART UNIT PAPER NUMBER

2154

DATE MAILED: 08/27/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/376,860

Applicant(s)

VAN GESTEL ET AL.

Examiner

Jinsong Hu

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-14 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3 and 11-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Mullen-Schultz (US 6,393,462).

4. As per claim 1, Mullen-Schultz teaches the invention as claimed including a first storage device [310, Fig. 3A] for storing units of primary information [124, Fig. 3A; col. 7, lines 33-36]; a user operable interface for making selections from the stored units of primary information to be processed and/or from functions to be invoked [col. 7, lines 39-45]; a second storage device [314, Fig. 3B] and personalizing means for deriving personalizing information from said selections in order to store the personalizing information in second storage device [col. 11, lines 11-25 & 42-59].

5. As per claim 2, Mullen-Schultz teaches that the personalizing means are arranged to maintain a link between a respective unit of said primary information and a respective unit of the personalizing information [col. 11, lines 42-59].

6. As per claim 3, Mullen-Schultz teaches that the device includes presentation means for presenting information, the personalizing means being arranged to present a respective unit of personalizing information which is linked to a respective unit of primary information while the respective unit of primary information is being processed [col. 9, lines 45-49].

7. As per claim 11, Mullen-Schultz teaches that the deriving serves to personalize stored units of primary information corresponding to the selections to form personalizing information [col. 8, line 57 – col. 9, line 4].

8. As per claims 12 and 13, Mullen-Schultz teaches that the second storage device is in communication connection with the first storage device [col. 3, lines 25-34].

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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10. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mullen-Schultz (US 6,393,462) as applied to claims 1-3 and 11-13 above.

11. As per claim 14, Mullen-Schultz teaches the invention substantially as claimed in claim 1. Mullen-Schultz does not specifically teach that the personalizing information comprises an e-mail address. However, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add an e-mail address as personalizing information in Mullen-Schultz's system because doing so would improve the functionality of the system by allowing user obtain the e-mail address information from the first storage device [i.e., primary computer] in order to send e-mail from the second device [i.e., alternate computer] to those people whose e-mail addresses are not stored in the second device. One of ordinary skill in the art would have been motivated to modify Mullen-Schultz's system to bring the convenience to the user.

Allowable Subject Matter

12. Claims 4 and 5 are objected to as being dependent upon a rejected base claim 1, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. Claims 6-10 are allowed.

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Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Uppaluru (US 5,915,001) discloses a voice and speech data file accessing system;

Allen (US 5,909,638) discloses a video distribution system; and

Croy et al. (US 6,040,829) discloses a personal navigator system.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax number for Group 2100 is (703) 872-9306.

Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

August 18, 2003



MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
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